

STATE OF TEXAS §
COUNTIES OF ARANSAS §
SAN PATRICIO AND NUECES §
CITY OF ARANSAS PASS §

On this the 18th day of February, 2008 the City Council of the City of Aransas Pass convened in a Regular Council Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT: Tommy Knight, Mayor
Jay Attaway, Mayor Pro Tempore
Vickie Abrego, Council Member
Frank Hametner, Council Member
Karen Mayer, Council Member

ABSENT:

ADMINISTRATIVE
PERSONNEL PRESENT: Tom Ginter, City Manager
Allen Lawrence, City Attorney
Ada Owens, City Secretary

ADMINISTRATIVE
PERSONNEL ABSENT:

STAFF PRESENT: Bill Haines, Assistant Police Chief/Harbormaster
Frank Truitt, City Inspector
Don Brummett Acting Public Works Director

OTHERS PRESENT: Elizabeth & Harlan Roberts, Ralph & Lu Arcemont, Gwen & Mike Sullinger, Marilyn Rymer/Herald, Mary Sue Shultz, Earl Buckmaster, Oscar Adame/City of Ingleside, Phil Ligman, Mickey Heisendeck, Matthew Jones, Randy Rangel, Christi & Angus Matthews, Steve Flynn, Lynn Nothup, Jerry Hamilton, Gordan Craig, Paul Froeschner, Margaret Garrett, Jim & Alpha Covington

There may have been others present who did not sign in.

ITEM 1. CALL MEETING TO ORDER.

Mayor Knight called the meeting to order at 7:00 p.m. on February 18, 2008.

ITEM 2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.

Council Member Abrego gave the invocation. Mayor Knight led the pledge of allegiance to the United States flag.

ITEM 3. CONSENT AGENDA: *“All of the following items on the Consent Agenda are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.”*

A. Approval of Minutes of February 4, 2008.

Council Member Mayer made the motion to approve the Consent Agenda. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.

ITEM 4. CONSIDER AND ACT ON APPROVAL OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF ARANSAS PASS, TEXAS AUTHORIZING THE ISSUANCE OF “CITY OF ARANSAS PASS, TEXAS GENERAL OBLIGATION REFUNDING BONDS, SERIES 2008”, LEVYING AN ANNUAL AD VALOREM TAX, WITHIN THE LIMITATIONS PRESCRIBED BY LAW, FOR THE PAYMENT OF THE BONDS; PRESCRIBING THE FORM, TERMS, CONDITIONS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, AND DELIVERY OF THE BONDS; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, A PURCHASE AND INVESTMENT LETTER, AND AN ESCROW DEPOSIT LETTER; COMPLYING WITH THE REQUIREMENTS OF THE BLANKET LETTER OF REPRESENTATIONS WITH THE DEPOSITORY TRUST COMPANY, AND PROVIDING AN EFFECTIVE DATE.

Council Member Abrego made the motion to approve an ordinance by the City Council of the City of Aransas Pass, Texas authorizing the issuance of "City of Aransas Pass, Texas General Obligation Refunding Bonds, Series 2008", levying an annual ad valorem tax, within the limitations prescribed by law, for the payment of the bonds; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the bonds; authorizing the execution of a paying agent/registrar agreement, a purchase and investment letter, and an escrow deposit letter; complying with the requirements of the blanket letter of representations with the depository trust company, and providing an effective date. Council Member Hametner seconded the motion and the motion carried unanimously.

Gordan Craig stated the property was in disarray and had no maintenance in many years. He stated he was asking the Council to waive the interest on the street assessments, not the principal.

Mr. Craig stated yes, a verbal contract.

Mr. Craig stated yes.

Mike Sullinger, project manager for the Marina development project, stated he had the help of Dave Sullivan with Naismith Engineering and Harlan Roberts getting the maps (of Conn Brown Harbor) together to move the project forward. Mr. Sullinger stated the recent map for the development of the Harbor had started in 1999 or 2000 with then City Manager Rick Ewaniszyk and leaders of the City, seeing the shrimping industry waning, wanted to develop the Harbor to keep revenue coming into the City. He stated after researching the Clear Lake/Kemah area, the information was given to Naismith Engineering and Naismith had been working on the maps since then. He stated this map was the closest to the original map Naismith had developed. He stated developers had changed it time to time.

Mr. Sullinger stated the boat slips were planned for the west side of the Harbor because the City already has the Corps of Engineers permit for that location in the Harbor and it would take three to five years and another \$500,000.00 to obtain a permit for another location. He stated the utilities were already in place and there was good bulkheading on the west side. Mr. Sullinger stated the marina would be a catalyst for future growth.

Mr. Sullinger discussed the monetary value of the Harbor, the Harbor's potential value and the added tax base the Harbor's industry and businesses would give the City. He stated the plan was to build a world-class marina with amenities that would make Aransas Pass a destination city.

Mayor Knight asked Mr. Sullinger had he made provisions for the City dock?

Mr. Sullinger stated yes and the dock could be expanded with a pump-out station.

Council Member Abrego asked Mr. Sullinger what about parking?

Mr. Sullinger stated every facility requires a certain number of parking spaces and the plan includes approximately 50% more parking spaces than required for the marina. Discussion followed regarding parking for other areas of the Harbor and parking for the potential businesses that would be located in each area. He stated if parking became a problem, one solution would be to run shuttles.

Council Member Hametner stated he had been looking at the plans for five to six months and had confidence in our Engineer, Project Manager and City Manager, that they have put together the best possible plan they could have for the benefit of the City and recommend the adoption of the Resolution.

Mayor Knight stated this was the first plan he totally agreed with. He stated the plan did not interfere with the shrimping industry or the Memorial Tower and expands Harbor Park. He stated the plan addressed everything. He stated at the present time, the Harbor revenues were \$7,962.58 per year, on property that was much more valuable than that. He stated one of the problems the City had was relying on developers coming to the City and telling the City what they could do. He stated this time, the City has a plan and will ask the developer if they can follow the City's plan.

Mr. Sullinger stated the next step was to put out Requests for Proposals (RFP) that would be brought to the Council.

Discussion regarding a new City dock size, the need for a boat haul-out facility and street closures followed.

ITEM 7. **CONSIDER AND ACT ON RESOLUTION 2008-595 APPROVING THE MARINA COMPLEX MASTER PLAN AND IMPLEMENTATION STRATEGY FOR CONN BROWN HARBOR DATED FEBRUARY 7, 2008; AUTHORIZING THE PROJECT MANAGER OF HARBOR DEVELOPMENT TO ACT ON BEHALF OF THE CITY OF ARANSAS PASS MANAGING THE MARINA COMPLEX MASTER PLANNING AND IMPLEMENTATION STRATEGY.**

Council Member Hametner made the motion to approve Resolution 2008-595 approving the Marina Complex Master Plan and Implementation Strategy for Conn Brown Harbor dated February 7, 2008; authorizing the Project Manager of Harbor Development to act on behalf of the City of Aransas Pass managing the Marina Complex Master Planning and Implementation Strategy. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously with Mayor Knight, Mayor Pro Tempore Attaway, Council Members Abrego, Hametner and Mayer voting yes.

ITEM 8. **CONSIDER AND ACT ON APPROVING A BID FOR THE REMOVAL OF THE VESSEL "WARLOCK" FROM CONN BROWN HARBOR.**

The City Manager stated three bids were received: Derrick Construction bid \$35,000, Roberson Marine bid \$473,822.00 and BJ Recycling bid \$75,000.00.

After discussion, Mayor Pro Tempore Attaway made the motion to award the bid to remove the vessel "Warlock" from Conn Brown Harbor to Derrick Construction for \$35,000.00. Council Member Hametner seconded the motion and the motion carried unanimously.

ITEM 9. **CONSIDER AND ACT ON APPROVING LEASE WITH THE ARANSAS PASS MUNICIPAL DEVELOPMENT DISTRICT FOR 820 W. WHEELER.**

After discussion, Council Member Hametner made the motion to approve a lease beginning February 18, 2008 with the Aransas Pass Development District for 820 W. Wheeler to be a month-to-month lease at the rate of \$1.00 per month. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.

ITEM 10. **CONSIDER AND ACT ON APPROVING ORDINANCE 2008-3937 AMENDING ORDINANCE 95-3589 TO PROVIDE FOR AN APPLICATION PROCESS FOR USE OF MEMORIAL PROPERTY; APPROVAL OF SIGNS ON MEMORIAL PROPERTY; CARE AND CLEANUP OF MEMORIAL PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mayor Knight explained the origin of the proposed ordinance and application process.

After discussion, Council Member Mayer made the motion to approve Ordinance 2008-3937 amending Ordinance 95-3589 to provide for an application process for use of Memorial Property; approval of signs on Memorial Property; care and cleanup of Memorial Property; and providing for an effective date. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.

ITEM 11. **CONSIDER AND ACT ON SECOND AMENDMENT TO PROPERTY DISPOSITION CONTRACT, HB 1740 PROPERTY, ARANSAS, SAN PATRICIO AND NUECES COUNTIES, TEXAS.**

City Attorney Allen Lawrence stated this was the second amendment to the GLO contract which permits the City to mortgage the property back to the state in lieu of having to post a performance bond or a letter of credit which would save the City \$100,000.00. He stated the City had three years to mediate or take care of all the environmental problems on the properties, although there was a clause for an extension. He stated as the properties are cleaned up, the contract provides for partial release of the lien. He stated the harbor area must be cleaned up before anything else can be released. He stated there were two different liens, the LWR and airport, and the harbor.

Council Member Hametner made the motion to approve the second amendment to Property Disposition Contract, HB 1740 Property, Aransas, San Patricio and Nueces Counties, Texas. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.

ITEM 12. **CONSIDER AND ACT ON APPROVING SPECIFICATIONS AND AUTHORIZING STAFF TO SOLICIT BIDS FOR REPAIRS TO THE DRAINAGE SYSTEM AT PUMP STATION #3.**

Mayor Pro Tempore Attaway made the motion to approve the specifications and authorize staff to solicit bids for repairs to the drainage system at Pump Station #3. Council Member Hametner seconded the motion and the motion carried unanimously.

ITEM 13. **CONSIDER AND ACT ON APPROVING SPECIFICATIONS AND AUTHORIZING STAFF TO SOLICIT BIDS FOR THE RENOVATION AND ADDITION TO CITY HALL.**

The City Manager stated the specifications were ready and the Council Chamber is an alternate or addition to the specifications.

Council Member Mayer made the motion to approve specifications and authorize staff to solicit bids for the renovation and addition to City Hall. Council Member Abrego seconded the motion and the motion carried unanimously.

ITEM 14. **PRESENTATION BY CITY MANAGER REGARDING AN INTERLOCAL AGREEMENT WITH THE CITY OF INGLESIDE TO REDUCE ADMISSION FEES TO THE AQUATICS CENTER AND INGLESIDE SKATE PARK FOR RESIDENTS.**

The City Manager stated he had met with Ingleside City Manager, Jim Grey regarding an interlocal agreement for reduced fees for Ingleside residents to the City's Aquatics Center and reduced fees for Aransas Pass residents for the Ingleside Skate Park. He stated Ingleside Council Member Stewart Wilson and Oscar Adame, Ingleside Parks and Recreation Director were in the audience.

The City Manager stated Aransas Pass would reduce the admission fee to the Aquatics Center for Ingleside resident from \$4.00 to \$3.00 for children and from \$5.00 to \$4.00 for adults. He stated these were the same rates Aransas Pass residents paid. He stated Ingleside would reduce the admission fee to the Skate Park from \$4.00 to \$2.00 for Aransas Pass residents, which was the Ingleside residents' rate. He stated the APMDD was in favor of the proposal and if the Council was favorable, he would bring an interlocal agreement back to the Council.

Ingleside Council Member Wilson stated he was glad to see the cities working together.

Council Member Hametner stated he agreed, it was time the City of Aransas Pass and the City of Ingleside cooperated in every way to provide better amenities to the citizens and keep their taxes down.

Ingleside Park Director Oscar Adame stated the presentation for an interlocal agreement would be on the Ingleside's agenda February 26 (2008) and Ingleside City Manager Jim Gray would contact Mr. Ginter.

Ingleside Council Member Stewart asked had there been any mention of a workshop between the two Councils (Aransas Pass and Ingleside)?

ITEM 15. **REPORTS FROM CITY MANAGER AND STAFF AND PUBLIC COMMENTS:** *At this time the Mayor, City Council, Staff and Public comments may be given. Reports or updates on any assignments which include but are not limited to grants, building and development, budgets, financial reports and any other projects may be given. No formal action can be taken on any of these items at this time. Comments will be limited to 3 minutes each.*

The City Manager reported on the progress and schedule of the Civic Center.

The outage of the State traffic lights at W. Wheeler and FM RD 1069 was reported.

ITEM 16. ADJOURNMENT OF MEETING.

Mayor Knight adjourned the meeting at 8:13 p.m.

ATTEST:

Ada Owens, City Secretary